

M E M O R A N D U M

VIA UPS

TO: CITY COUNCIL MEMBERS
FROM: JOSEPH R. TARBY, III, ESQ.
CC: WILLIAM C. CAMPBELL, CITY CLERK
DATE: JULY 1, 2020
RE: SPECIAL PERMIT WITH SITE PLAN REVIEW APPLICATION OF LCS
WOBURN LLC, 2 HILL STREET, WOBURN, MASSACHUSETTS

The purpose of this memorandum is to provide you with a summary of the above referenced Special Permit with Site Plan Review Application prior to the City Council Public Hearing scheduled for July 7, 2020 at 7:00 p.m.

A. SPECIAL PERMIT PETITION

The Applicant has requested approval of the following:

1. A Special Permit pursuant to Section 28.6.2.2 to allow for 103 Congregate Elderly Housing Units;
2. A Special Permit pursuant to Section 28.6.2.9 to allow for an Extended Care Facility (84 Assisted Living Units and 36 Memory Care Units);
3. A Special Permit pursuant to Section 28.3 and Site Plan approval pursuant to Section 28.8.4 to allow for a reduction in the number of required parking spaces. The Applicant seeks a reduction in the number of required parking spaces from 281 spaces to 193 spaces;
4. A Special Permit pursuant to Section 28.3 to allow for relief from Section 5.3.4 which prohibits a retaining wall to be in excess of six (6) feet in

height. The Applicant seeks relief to allow the height of the retaining wall running perpendicular to I-93 to exceed the six (6) feet height limited allowing up to ten (10) feet in height in certain areas of the wall;

5. A Special Permit pursuant to Section 5.1 (57b) to allow for the overnight parking of up to two (2) passenger vans;
6. A Special Permit pursuant to Section 28.3 and Section 28.11.6 to allow relief from Section 5.2.1.4 ("Access to the buildable portion of a lot shall be granted from a lot's legal street frontage. Access to lots by so called "common driveways" or access easements shall be prohibited.") [Relief has been requested because the Applicant's legal street frontage is along Sunset Road in Winchester from which there will be no vehicular access to the site.] Access to the site will be provided from Hill Street as approved on the Master Plan.

In addition, the Applicant requests approval of all signage as set forth on the plans filed with the Application.

B. ZONING DISTRICT

The Property is located in the Technology and Business Mixed Use Overlay District which was adopted by the City Council on September 8, 2016 as Section 28 of the 1985 City of Woburn Zoning Ordinance

C. TBOD

On June 21, 2018 the parcels of land described in Section 28.2 of the Zoning Ordinance containing approximately 60 acres of land were rezoned into the TBOD as reflected conceptually on the Master Concept Plan submitted at the time of the rezoning

and subsequently approved by the City Council in accordance with Section 28.4 on October 2, 2019 in connection with the Development Agreement dated November 21, 2019. The Development Agreement sets forth generally the required mitigation including traffic demand management initiatives; restrictions on development areas and the phasing of the development.

D. PROPOSAL

The Delaney at The Vale will be a 223 unit Independent Living/Assisted Living/Memory Care rental senior living community located in The Vale, a master planned community being developed by Leggat McCall in Woburn, MA. LCS Development is the developer of the project which will be operated by Life Care Services (LCS), headquartered in Des Moines, IA. LCS operates over 145 communities throughout the United States serving over 40,000 seniors.

The project will consist of 103, one or two bedroom, independent living apartments; 84 assisted living apartments and 36 memory care units. The assisted living and memory care units will be licensed by the Commonwealth of Massachusetts. The project will include a central kitchen providing meals for residents in independent living dining rooms, assisted living dining rooms and within the memory care neighborhoods. Each living area will include landscaped courtyards and a walking path around the community will be included for resident use. The independent living will include one parking stall per unit with structured parking for 46 vehicles and the remainder with surface parking.

The Delaney at The Vale will be the seventh Delaney developed by LCS Development. Other Delaney locations include; Georgetown, TX; Waco, TX; Richmond,

TX; League City, TX; Bridgewater, NJ(opening 2020); and Florham Park, NJ(opening 2022).

E. PRESENTATION

The presentation at the public hearing will consist of the following:

1. Dylan Stevens of Stantec will review the Site Plan and Elevation Plans;
2. Adam Yothers of DiMella Schaffer will review the building elevations, project design and landscaping plan.
3. Rob Nagi of VHB will review the Traffic Memorandum filed with the Application.

F. PLANNING BOARD RECOMMENDATION

We have enclosed with this Memorandum our responses to the Planning Board recommendation.

G. SUMMARY

If you need any further information prior to the upcoming public hearing please contact me at 781-897-4980 or at jtarby@murthalaw.com. Thank you.



City of Woburn, Massachusetts Planning Board

City Hall, 10 Common Street
Woburn, MA 01801

Phone: 781-897-5817

Tina Cassidy,
Planning Director

Dan Orr,
Grant Writer/Planner

Karen Smith, Planner

June 26, 2020

The Woburn City Council
City Hall, 10 Common Street
Woburn, MA 01801

RE: TECHNOLOGY AND MIXED-USE BUSINESS OVERLAY DISTRICT (TBOD) SPECIAL PERMIT APPLICATION FOR THE DELANEY AT THE VALE / LCS WOBURN, LLC

Dear Council:

The Planning Board and its staff reviewed and considered the above-referenced application which seeks special permits pursuant to Section 28.6.2.2. of the Woburn Zoning Ordinance (WZO) to allow development of 103 congregate elderly housing units, and pursuant to Section 28.6.2.9 to allow for an Extended Care Facility having 84 assisted living units and 36 memory care units. In addition, the Petitioner is seeking special permits in accordance with Section 28.3 of the WZO to:

- Reduce the amount of required parking from 281 to 193 (Section 28.8.4. of the WZO);
- Allow certain sections of one (1) retaining wall to exceed 6' in height (Section 5.3.4. of the WZO);
- Authorize overnight parking for two (2) passenger vans (Section 5.1(57b) of the WZO); and
- Grant relief from the requirement that "access to the buildable portion of a lot shall be gained from a lot's legal street only. Access to lots by so-called 'common driveways' or access easements shall be prohibited."

The Board respectfully defers comment on Stantec's stormwater management memo and VHB's traffic impact memorandum in favor of the Engineering Department which will be submitting its own communication to you on this application. Similarly, the Board defers review of the proposed signage for zoning conformance to the Inspectional Services Department.

CONFORMANCE WITH MAXIMUM RESIDENTIAL DENSITY LIMITATION

This application seeks special permits pursuant to Section 28.6.2.2. of the Woburn Zoning Ordinance (WZO) to allow development of 103 congregate elderly housing units, and pursuant to Section 28.6.2.9 to allow for an (Hospital,) Extended Care Facility having 84 assisted living units and 36 memory care units.

This is one of two pending special permits seeking approval for construction of residential units in the District, and taken together they appear to exceed the maximum number of residential units allowed by Section 28.6.2.2 (300 units). A pending Special Permit application from Pulte Homes calls for construction of 197 condominiums on a site adjacent to this development. The 197 units at Pulte, when added to this Petitioner's 103 congregate elderly housing units and 84 assisted living units equals 384 units. The issue centers on how one "classifies" the 84 assisted living units planned for this project.

The definition of Hospital, Extended Care Facility expressly includes Assisted Living residences, but Assisted Living is defined in Section 2 of the WZO as *"Residents require significant personal care/assistance with Activities of Daily Living (ADLs) such as bathing, dressing/undressing, using the restroom, eating, walking/wheeling, medication management, etc."* There is nothing in the application to indicate that the units being called "assisted living units" will meet this definition. One might infer otherwise from the plans, which show these units to have their own kitchens, bathrooms, and bedrooms. The definition of Assisted Living contrasts sharply with the definition of Assisted Living/Continuing Care, which is not permitted in the TBOD and which is defined as housing *"...for able bodied senior citizens and/or housing with various degrees of medical and life support services to people over the age of 62 years of age (sic)."*

Finally, the definition of Dwelling Unit is *"One (1) or more rooms arranged, intended, or designed to be occupied by one (1) family and to provide complete facilities for living, sleeping and eating."* The units proposed as "assisted living units" would seem to meet the definition of Dwelling Unit by virtue of their design (full kitchen, bathroom, bedroom, living room) and if so, should count toward the total number of residential units on the TBOD site.

The Council must determine whether the aggregate number of residential dwelling units on the two sites meets or exceeds the maximum number of units that can be permitted.

On June 19, 2020 I provided a response to the Planning Director in support of the conformance of the two projects' (LCS and Pulte) conformance with the maximum residential density limitation. SEE MY EMAIL DATED JUNE 19, 2020 ATTACHED HERETO AS EXHIBIT A. I have also included as Exhibit A-1 a copy of the Minutes of the City Council Meetings on June 5, 2018 and June 19, 2018. The minutes reflect that Bill Gause of Montvale Land LLC stated to the City Council that "there can be up to 300 residential units with 75 of the units being condominiums, that there will be 125 garden style residential units and 100 senior housing units, that the assisted living/memory care would count toward the commercial use"

On June 19, 2018, the City Council voted 9-0 to add "Hospital, Extended Care Facility" to the list of uses allowed by Special Permit with Site Plan Review in the TBOD, referencing the minutes of the June 5, 2018 meeting. The record is clear that the Assisted Living Units are not included with the 300 maximum residential units.

In further support of this position Assisted Living Units are required to be licensed by the Commonwealth of Massachusetts. See 651 CMR 12.00. In addition, Assisted Living Facilities are classified as an Institutional Use and not a Residential Use under the Building Code. See Section 308.3 of the International Building Code.

TBOD PROVISIONS ARE STAND-ALONE

Planning staff informed the Board that Section 28.5 was included to ensure that, with few exceptions, the provisions of the TBOD chapter alone would control development within the District. Section 28.5 reads as follows:

"Except as specifically provided herein, uses and provisions of the Zoning Ordinance relating to the underlying zoning district not otherwise impacted by this Section 28 shall continue to

remain in full force and effect with the exception of 5.2.1.4 and, provided further that the City Council shall in all cases be the Special Permit Granting and Site Plan Approval Authority, as applicable. Notwithstanding the foregoing, this Section (§28) of the Zoning Ordinance exclusively controls the establishment, development, and design of any development undertaken at any TBOD and supersedes any other provision of the Zoning Ordinance except Section 9 (Floodway and Flood Plain Districts). If any activity requires one or more Special Permits under said Section 9, a special permit application may be submitted to and considered by the City Council as the sole Special Permit Granting Authority concurrently with any Special Permit or Site Plan Review application submitted pursuant to Section 28. In the event of any conflict between the provisions of this Section and any other provision of the Zoning Ordinance, the provisions of this Section shall govern and control."

LCS's application includes requests for several other special permits, in addition to those needed for the proposed residential uses:

- A reduction in the amount of required parking from 281 to 193 (Section 28.8.4. of the WZO);
- Allowing for certain sections of one (1) retaining wall to exceed 6' in height (Section 5.3.4. of the WZO);
- Authorization for overnight parking of two (2) passenger vans (Section 5.1(57b) of the WZO); and
- Relief from the requirement that "access to the buildable portion of a lot shall be gained from a lot's legal street only. Access to lots by so-called "common driveways" or access easements shall be prohibited."

The request for relief from the requirement for access to the buildable portion of a lot over its frontage should not be a Special Permit request, but rather an acknowledged waiver/authorization by the City Council, in accordance with Section 28.11.6.1. **We agree but note that the request is part of the overall Special Permit Application request.**

A special permit for retaining wall height may be unnecessary, since the TBOD does not limit the height of retaining walls and given the language at Section 28.5 regarding exclusivity of the TBOD provisions. The Planning Board recommends the segments of wall that exceed 6' in height be identified on the plan for the Council's information, and that the Building Commissioner be consulted to determine if a special permit is in fact necessary. **We agree but note that the request is part of the overall Special Permit Application request.**

Overnight parking of vehicles associated with business operations does not require a special permit. It can be a use permitted by right with site plan review, so long as "...one additional on-site parking space is provided for each such vehicle". Unfortunately, it does not appear that additional spaces have been provided for the vehicles for which permission is being sought. In fact, the Petitioner is seeking permission to provide less than the minimum parking the Ordinance requires for the residential and institutional uses (see paragraph below). **Please see attached email dated June 18, 2020 stating that the shuttle is not included in the total spaces provided and that the request is for one vehicle attached hereto as Exhibit B.**

The Petitioner is seeking a Special Permit to reduce the number of parking spaces provided on-site. The Petition indicates a total of 281 parking spaces are required and seeks a special permit to reduce the number to 193, which would equate to a one-third reduction in the amount of parking. The application package contained a summary of parking and unit data entitled "Delaney Rental IL/AL/MC Community Project Data 4.29.20" which listed unit types/beds and parking types at six Petitioner-owned facilities in Texas and New Jersey, one or two of which are not yet operational. The Planning Board suggests that summary does not provide sufficient justification for a waiver of the magnitude being sought. The Board recommends the Petitioner be required to submit a revised summary of conditions at other facilities that includes only those facilities which have been open for at least a year, and which simplifies the information for comprehension purposes. Bedroom counts should be eliminated, since parking for Extended Care Facilities and Congregate Units are computed by unit, not by the number of beds. A total number of units of each type should be included and the parking information simplified by reclassifying "covered surface" spaces at other facilities as "surface" spaces. **On June 17, 2020 a Parking Report completed by Stantec was provided. However, the Report was not taken into consideration by the Planning Board. See email and Parking Investigation attached hereto as Exhibit C.**

OTHER PARKING ISSUES

Parking calculations should be clarified by listing, for each unit type, the number of parking spaces required and proposed to be provided. The table on the cover page has limited utility in that it lists visitor parking twice and provides no information on the number of spaces required by the WZO. The parking "table" on the cover sheet should be revised to mirror the parking table provided on Sheet C-101. **The Parking Table was revised and provided to the Planning Board. See Exhibit B.**

PEDESTRIAN AND BICYCLE ACCOMMODATIONS

The overall master development plan for the TBOD District includes a number of elements to accommodate bicyclists and pedestrians, including sidewalks on Hill Street and the main interior access road, and an extension of the Tri-Community Bikeway into the site. The proposed site plan for The Delaney at The Vale shows a pedestrian walkway around the building that winds through several courtyards. However, the walkway does not physically connect with the sidewalk planned for the main interior access road, nor does it connect with any other pedestrian path of travel off the site. In addition, there are no crosswalks or bicycle accommodations shown on the Special Permit plans.

It is the opinion of the Planning Board that the envisioned development overall, and the individual development plans of both Pulte and LCS, fall short of their potential with respect to pedestrian and bicycle accommodations. One, the design of the district generally could be improved to better capitalize on the property's proximity to the Tri-Community Bikeway, which crosses Hill Street at the entrance to the site. The site development master plan includes a pathway through a portion of the property that will be wide enough to accommodate both bicycle and pedestrian traffic, but it is wide enough to accommodate both only to a point. The shared pathway narrows to a standard sidewalk width at a location well short of the LCS project, and in fact before reaching the Pulte site. The residential portion of the TBOD development should be provided with more robust alternative transportation accommodations, to ensure the residents, employees and visitors of/to the Pulte and

LCS projects have adequate and safe paths of travel to other parts of the district and off-site destinations.

Two, the designs of specific development parcels should incorporate site elements that will not only accommodate but also encourage the use of forms of transportation other than a car. Three, the designs of all projects and of the overall site should cohesively work together to ensure the adequate and safe passage of pedestrians and bicyclists throughout the development, and to and from each project.

The Planning Board strongly encourages the Council, the Petitioner and Leggat McCall to work together to incorporate into the various project designs additional site features and construction standards that encourage the safe use of alternative transportation methods. Examples include coordinated way finding signage throughout the district, pathways that provide complete (not partial) access for multiple users simultaneously, and separation/demarcation of bicycle lanes to maximize safety against vehicular traffic.

With respect to this Special Permit plan specifically, the Board recommends, at a minimum, the following:

- A connection to the sidewalk on the main access driveway;
- The provision of crosswalks wherever walkways cross driveways (such as at the garage entrance and at the trash/loading area); and
- Installation of one or two outdoor bike racks, in addition to secured bicycle storage in the garage for use by tenants, employees and visitors.

SNOW STORAGE

There appear to be eight areas identified for snow storage on Sheet C-101 but not all of them are labeled as such and should be for future reference. Are they of adequate capacity to serve the snow storage needs for the entire lot/parking lot?

LANDSCAPING INFORMATION

Information on proposed landscaping is sparse and therefore inadequate. Although locations of proposed plantings are included in the plan set, no information on species, quantities, or sizes at time of planting has been provided. The Council should consider requiring the Petitioner to provide more detailed landscaping information relative to proposed species and sizes. The Planning Board was informed by the email attached as Exhibit B that all of the above items would be installed and/or addressed by the Applicant.

If you have any questions relative to the Planning Board's recommendation, please do not hesitate to contact me.

Respectfully,

Tina P. Cassidy
Planning Board Director

TPC/tc

cc: Attorney Joseph Tarby
Chris Manning, LCS Woburn LLC
Chad Reynolds, Leggat McCall Properties
File

Joseph R. Tarby, III

From: Joseph R. Tarby, III
Sent: Friday, June 19, 2020 2:16 PM
To: Cassidy, Tina
Cc: Chris Manning - LCS Development (manningchris@lcsnet.com); 'Reynolds, Chad'; Tommy Quinn (TCQuinn@cityofwoburn.com)
Subject: CONFORMANCE WITH MAXIMUM RESIDENTIAL DENSITY LIMITATION

Tina,

This is a follow up to your questions concerning the residential density limitation and the Assisted Living Units (the "AL Units") proposed at The Vale by LCS.

The definition of "Assisted Living/Continuing Care" in Section 2 of the WZO is not applicable to this TBOD Application. The definition of "Extended Care Facility" set forth in Section 2 of the WZO, which incorporates the separate defined term "Assisted Living", is the controlling definition. The City Council record is clear on this issue in its approval of the amendment to the TBOD adding "Extended Care Facility" as an allowable use; the Declaration of Restrictive Covenant dated December 13, 2013 by the Lindquist Realty Trust, the predecessor in title to BSL Woburn Development LLC and the Landowner's Decision and Notice of Special Permit dated September 4, 2014 and issued to Benchmark Senior Living and Lindquist Realty Trust for an Assisted Living Facility at 1 Cedar Street.

The significant personal care and assistance with activities of daily living that the occupants of the AL Units will receive include 3 meals per day, plus any or all of the following:

1. Transportation services to medical appointments/shopping etc.
2. Cleaning of the occupant's AL Unit
3. Laundry services
4. Personal medication assistance
5. Nurse on duty 24/7
6. Full service hair salon
7. Emergency call system with pull cord and pendant
8. Wellness program with individualized exercise program
9. Health & Wellness Coordination including nutrition and in residence wellness checks.

We expect that most of the occupants on account of their age or physical infirmity will not cook for themselves, drive a motor vehicle, properly clean their unit; wash their clothes or take their medication properly. As a result, they will need to be living in an Assisted Living Facility to receive the necessary individual assistance and services for their well-being.

In terms of looking at "Dwelling Unit", it is defined in the WZO as "One (1) or more rooms arranged, intended or designed to be occupied by one (1) family and to provide complete facilities for living, sleeping and eating." The proposed AL units will not provide "complete facilities" to their occupants because, as described above, significant daily services will be provided from outside each unit, including meals. But even if the units did somehow qualify as "Dwelling Units", that would not make them residential units. Article 2 of the WZO is clear that it is the scope of services that qualifies a unit

as an "Assisted Living" unit, and the definition makes no reference to any requirements or limitations on the design of an Assisted Living unit.

Section 28.6.1.11 and 28.6.2 allow for Residential Units which includes the Independent Living Units as Congregate Elderly Housing. In addition, Section 28.6.2.9 allows for an Extended Care Facility which includes Assisted Living Residences.

Again the record is clear that Congregate Elderly Housing units, the market-rate Townhouses and residential units in a building are the units that are to be counted toward the maximum density count of 300 Residential Units. As a result the 300 Residential Units consists of 103 Congregate Elderly Housing units, 75 townhouses and 122 rental units in three (3) buildings.

If you would like to discuss further, please let me know. Thank you.

Joe

CITY OF WOBURN
JUNE 5, 2018 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

Motion made and 2nd to suspend the rules for the purposes of taking the following matter out of order, all favor, 9-0.

Petition by New England Orienteering Club, Inc., 9 Cannon Road for a Special Event Permit to allow a map and compass navigation event at Horn Pond on August 26, 2018. Motion made and 2nd that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

Presented to the Mayor: June 7, 2018

s/Scott D. Galvin June 7, 2018

Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

MAYOR'S COMMUNICATIONS:

A communication dated May 31, 2018 was received from His Honor the Mayor as follows:

Re: Retiree Health Insurance Contributions - Supplemental

As you know, the City faces a major financial obligations related to funding post-employment health insurance benefits and costs. In our most recent actuarial study, the City had an unfunded liability for the cost of retiree health insurance of more than \$218,000,000. In addition, GASB 43&45 requires all cities to report the financial costs and obligations of employees' insurance as they are incurred—just like pensions—and *not* when employees retire.

This requirement has and will continue to have an adverse effect on our City balance sheet when the OPEB liability is not fully funded on an annual basis. In addition, Bond rating

REGULAR MEETING OF THE CITY COUNCIL ON JULY 17, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

On the petition by Montvale Land LLC, c/o Leggatt McCall Properties, 10 Post Office Square, Boston, Massachusetts 02109 to amend the Zoning Map of the City of Woburn by changing the zoning district for three parcels of land known as 0 Hill Street (54-05-04); 0 Hill Street (54-05-01); and 1 Washington Avenue (62-01-29), Woburn, Massachusetts together containing approximately 60.95 acres of land as shown on a plan entitled "Zoning Amendment Plan" dated April 25, 2018 from I-G/B-I to Technology and Business Mixed Use Overlay District (TBOD). PUBLIC HEARING OPENED. A memorandum entitled "Technology and Mixed Use Overlay District – Permitting Procedure" dated May 31, 2018 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801. Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was Attorney Joseph R. Tarby III, Murtha Cullina LLP and he stated that the petitioner is an entity of Leggatt McCall Properties, that the petitioner develops property from Boston to Washington, D.C., that the petitioner has been in business for fifty years, that this is the biggest project to be developed in Woburn, that the entire former Kraft property contains 61 acres in Woburn, 10 acres of non-contiguous property in Woburn, 25 acres in Winchester mostly in a flood plain and 2 acres in Stoneham, that this proposal uses approximately 60.95 acres, that a zoning amendment has to be approved to include the property in the TBOD zoning district, that a master plan will be filed and once approved a special permit and site plan approval is required, that two-thirds of the City Council have to vote to adopt a development agreement, that a second petition was filed to allow an extended care facility use under the TBOD zoning district, that there will be 100 units for independent living, assisted living and memory care, that the petitioner is not looking for a density bonus, that the petitioner is allowed to have 300 units under the ordinance, that the first step is to place the three parcels under the TBOD zoning district designation, and that the master plan has to be approved. Bill Gause of the petitioner stated that the petitioner owns the site, that he understands the project can change over time during review, that the current 400,000 square foot building sits on the lower portion of the site, that there is a substantial grade difference onsite, that the proposal is in line with the TBOD uses, that there can be up to 300 residential units with 75 of the units being condominiums, that there will be 125 garden style residential units and 100 senior housing units, that the assisted living memory care would count toward the commercial use, that the balance of the site is a mix of office, hotel, lab uses, a town green and six story office buildings with commercial uses on the first floor, that the proposal is the maximum build proposal for the locus, that there will be a total of 1,000,000 square feet for all the uses, that the site plan process will look at the individual uses, that Hill Street will be widened, that Hill Street is currently a two lane public way and will be widened to five lanes with three lanes out and two lanes in to the locus, that they have talked to the abutters about the proposed road widening including McDonald's, Prime Gas and MassDOT, that the traffic control signals are owned and maintained by the City of Woburn, that the senior housing component includes independent, assisted living and memory care units, that the plan is vision for the site, that if the plan is to be changed it must be approved by a two-

thirds vote of the City Council, that there will be sufficient access on site for emergency vehicles, and that will be emergency access points to Winchester from the locus with Knox box locks. Alderman Mercer-Bruen stated that the senior living component appears similar to the Benchmark facility which does come at a cost to the residents, and that she wanted clarification as to how the master plan might change. Alderman Anderson stated that the numbers for the development are well below what the petitioner can request under the ordinance. Alderman Higgins stated that she wants to be certain emergency vehicles can get in and out of the townhouse area. President Haggerty stated that the petitioner has stayed within the parameters of the TBOD and have not asked for greater density, and that this is a good proposal. Alderman Campbell stated that she likes the plan, the use of the space, the water features, the sidewalks and the senior living facility. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 19, 2018, all in favor, 9-0.

On the petition by Montvale Land LLC, c/o Leggatt McCall Properties, 10 Post Office Square, Boston, Massachusetts 02109 to amend the 1985 Woburn Zoning Ordinances, as amended, Section 28.6.2 Uses Allowed by Special Permit with Site Plan Review by adding the following: 9. Hospital, Extended Care Facility. PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that this amendment will allow a senior housing use to be included under the master plan, that the petitioner wants the use to be included in the district, and that the petitioner proposes 100 units of independent living, assisted living and memory care in one building. PUBLIC COMMENTS: Thomas Olson, 230 Forest Street, Winchester stated that he wanted to see a copy of the master plan. Alderman Anderson gave a copy of the plan to Mr. Olson. Nelson Moreira, 35 Forest Circle, Winchester stated that he wants a traffic evaluation to be performed for the project. President Haggerty stated that this is an initial step as to the concept plan. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 19, 2018, all in favor, 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSES:

On the petition by Steven Alicandro dba SureRide Taxi for renewal of a Taxi Cab License, committee report was received "ought to pass". Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: June 7, 2018

s/Scott D. Galvin June 7, 2018

CITY OF WOBURN
JUNE 19, 2018 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

Motion made and 2nd to suspend the rules for the purposes of taking the following two matters out of order, all in favor, 9-0.

Petition by Lindsay Maus, 10 Martens Street, Wilmington, Massachusetts for a Special Event Permit to allow a road race at Horn Pond on October 20, 2018. Motion made and 2nd that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

Presented to the Mayor: June 21, 2018

s/Scott D. Galvin June 21, 2018

Petition by Shamrock Running Club, P.O. Box 602, Woburn, Massachusetts 01801 for a Special Event Permit to allow a road race at Spence Farm and area streets on July 4, 2018. Motion made and 2nd that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

Presented to the Mayor: June 21, 2018

s/Scott D. Galvin June 21, 2018

Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

Motion made and 2nd to take the following matter out of order, all in favor, 9-0.

LIAISON:

On the communication from His Honor the Mayor relative to acceptance of M.G.L. c.32B, §9E with respect to the contribution rates for retiree health insurance plans, committee report was received "back for action". Alderman Concannon stated that it was raised at the committee meeting that some Aldermen with relatives working for the city may have a conflict voting on this issue, that he believed any such conflict was remote, that he contacted the Massachusetts Ethics Commission after recusing himself from participating in the committee meetings, that he was advised it is appropriate for him to participate in the debate and vote on the issue as long as a disclosure is filed with the City Clerk which he did tonight,

an issue, that the housing should be compatible with the single family homes in Winchester, that the traffic on Montvale Avenue and Washington Street is intense, that he wants to be certain the traffic control signals in the area are adjusted, that ambulance access along these roads to the hospital is critical, and that the Town of Winchester wants to work with the city and the developer on the project. Franca Richard, 54 Sunset Road, Winchester stated that she is an abutter to the project, that a petition was sent to the City Clerk by email, that she is concerned about safety and environmental issues, that she is concerned about traffic on Sunset Road from the development, that unrestricted vehicle access to Sunset Road would impact the residents who reside on the street and the children who play on the street, that emergency access would be an issue if accessible to Sunset Road, that she asks that access to Sunset Road from the development be prohibited, that she wants a reasonable buffer including landscaping and fencing along Sunset Road to discourage pedestrian and vehicle access, that she is concerned about rainwater runoff, that there is a significant presence of wildlife in the area, that she asked the petitioner prepare an impact study and the developer address the issues raised by the impact study, that 108 signatures were collected in a petition concerning the project, and that the residents will be attending the meetings and advocating for the neighborhood. Ms. Richard offered a petition to the City Council for review. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Ann Sera, 5 Andrea Circle, Winchester stated that she is a Town Meeting Member, that the design appears to be geared to redevelopment of the property as opposed to new development, that she has some environmental concerns, that there is a river in the area which would not allow development within 150 feet to 250 feet from the river, that this buffer would be in the middle of the assisted living facility, that the petitioner should be required to submit documents in PDF format, that some major changes in the plan may be required, that this is a regional development that could benefit the area, and that there should be green roofs and pervious pavement. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. President Haggerty stated this is the first step in a many step process, and that special permits would be required for additional uses on the parcel. Alderman Mercer-Bruen stated that questions regarding buffer, traffic and drainage will be addressed in the special permit process. Motion made and 2nd that the Master Development Plan be accepted as submitted, all in favor, 9-0. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

Presented to the Mayor: June 21, 2018

s/Scott D. Galvin June 21, 2018

On the petition by Montvale Land LLC, c/o Leggatt McCall Properties, 10 Post Office Square, Boston, Massachusetts 02109 to amend the 1985 Woburn Zoning Ordinances, as amended, Section 28.6.2 Uses Allowed by Special Permit with Site Plan Review by adding the following: 9. Hospital, Extended Care Facility. PUBLIC HEARING OPENED. A communication dated June 13, 2018 was received from Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Planning Board recommendation on proposed zoning amendments: To rezone three parcels of land (known as 0 Hill Street [54-05-04]; 0 Hill Street [54-05-01]; and 1 Washington Avenue [62-01-29]) from I-G/B-I to Technology and Business Mixed Use

Overlay District (TBOD) and to add "Hospital, Extended Care Facility" to the list of uses allowed by Special Permit with Site Plan Review in a TBOD

Dear Councilors:

At a meeting of the Woburn Planning Board held on Tuesday, June 12, 2018, the Board conducted its public hearing on the above-referenced zoning map and text amendments.

Following the public hearing and after considering the matter, members of the Board voted 6-0-0 (Callahan, Edmonds, Ventresca, Bolgen, Doherty and Donovan in favor; with Turner absent) to forward to you a favorable recommendation on both of these proposed zoning amendments.

Please feel free to contact me if you have any questions relative to the Board's vote.

Respectfully, s/Tina P. Cassidy, Planning Board Director

See record notes from preceding meeting. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

Presented to the Mayor: June 21, 2018

s/Scott D. Galvin June 21, 2018

On the petition by McDonald's Corporation, c/o William J. Squires, Esq., Hinckley Allen, 28 Street, Boston, Massachusetts 02109 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 9, 11 and 15 as applicable to a restaurant with a drive-up service facility to: 1. Modify the existing restaurant with drive-up customer service facility; 2. Alter or otherwise change the signage for the existing restaurant with drive-up customer service facility; 3. Reconstruct or expand the existing building within the Groundwater Protection District; and 4. Construct the project within the Floodway and Flood Plain District, all at 187 Cambridge Road. PUBLIC HEARING OPENED. A communication dated June 13, 2018 was received from Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 187 Cambridge Road/McDonald's Corporation

Dear Council:

The Planning Department has completed its review of the above-referenced Petition, which proposes to modify an existing special permit by razing an existing fast-food restaurant facility containing 4,340-sq. ft. (including 130 seats and a "PlayPlace" feature) and constructing new, 4,692-sq. ft. restaurant facility (including 82 seats and a "PlayPlace" feature). Although the modified site plan proposes to increase the former building floor area by 352 sq. ft., the number of seats will in fact decrease by 48 (or approximately 37%). A reconfiguration to the drive-up customer service facility and alterations/changes to exterior signage are also proposed. The site falls within a Groundwater Protection District (Zone 2) and FEMA flood zone. In total, 4 (four) special permits are being sought, as noted in the

Joseph R. Tarby, III

From: Joseph R. Tarby, III
Sent: Thursday, June 18, 2020 4:53 PM
To: Cassidy, Tina
Cc: 'Smith, Karen'; Chris Manning - LCS Development (manningchris@lcsnet.com); Adam Yothers; 'Stevens, Dylan'; 'Reynolds, Chad'
Subject: LCS/DELANEY AT THE VALE
Attachments: Delaney Parking Summary_2020-06-18.pdf

Tina, In response to your draft recommendation to the Planning Board members attached is the parking summary table that will be included in our C-101 Sheet. Please see the note at the bottom of the table indicating that the space for the shuttle is not included in the total spaces provided. Please note that LCS will only be using one vehicle and not two at this time. In addition, LCS will make a pedestrian connection to the main access; add crosswalks; one outdoor and one indoor bike rack as you have suggested. In addition the snow storage areas (which are significant) will all be labeled as you have suggested. In addition, the landscape plan will be revised to address your concerns. We will revise the plans after the Planning Board recommendation in the event further revisions are requested. All revisions will be completed and filed with the City Clerk one week prior to the City Council public hearing on July 7th. Let us know if you need any further information. Thank you.

Joe

PARKING

REQUIRED

CONGREGATE ELDERLY HOUSING

1.8 SPACES PER UNIT (103 UNITS x 1.8 = 185 SPACES)

EXTENDED CARE FACILITY

84 AL (X 0.70 = 59)

36 MC (X 0.70 = 25)

1 VISITOR SPACE PER 10 UNITS (120/10 = 12 SPACES)

TOTAL PARKING REQUIRED

281 SPACES

PROVIDED

INDEPENDENT LIVING - 103 SPACES

ASSISTED LIVING - 17 SPACES

MEMORY CARE - 0 SPACES

VISITOR PARKING - 42 SPACES

STAFF PARKING - 31 SPACES

TOTAL PARKING PROVIDED - 193 SPACES

(147 SURFACE SPACES, 46 GARAGE SPACES)

*DEDICATED SHUTTLE PARKING SPACE NOT INCLUDED IN PARKING TOTAL

Joseph R. Tarby, III

From: Joseph R. Tarby, III
Sent: Wednesday, June 17, 2020 10:16 AM
To: Cassidy, Tina
Cc: Chris Manning - LCS Development (manningchris@lcsnet.com); 'Reynolds, Chad'
Subject: PARKING INVESTIGATION FOR DELANEY AT THE VALE
Attachments: 2020-06-17_Parking Investigation.pdf

Tina, Attached for your review is a Parking Investigation completed by Stantec in support of the requested reduction in parking. Let me know if you have any questions on this report. Thank you.

Joe



Stantec Consulting Services Inc.
136 West Street Suite 203, Northampton MA 01060-3711

June 17, 2020
File: 210801686

Mr. Chris Manning, Project Development Manager
LCS Development
400 Locust Street, Suite 820
Des Moines, IA 50309-2334

Dear Mr. Manning,

Reference: Senior Housing Parking Investigation
The Vale, Woburn, MA

Per your request we investigated parking requirements for the proposed senior living community at The Vale in Woburn, Massachusetts. Based on investigations the estimated peak parking demand at the proposed facility is 108 vehicles. The proposed parking supply, 193 spaces, will be more than adequate to serve this demand. The proposed project and our analysis are presented below.

Project Description

The Vale is a proposed mixed-used development at the former Kraft Foods site in Woburn, Massachusetts. Within the development Delany has proposed a senior living community including:

- 103 Independent Living Units:
- 84 Assisted Living Units: and,
- 36 Memory Care Units.

A zoning analysis indicates that the proposed uses require 282 parking spaces. Delaney is proposing 193 spaces based on parking supplies provided at some of its other facilities. The proposed parking ratio is 0.87 spaces per unit.

Parking Demand Calculations

Stantec reviewed available parking rates published by the Institute of Transportation Engineers (ITE) in *Parking Generation, 4th Edition 2010* and applied them to the proposed land use program. The applied parking rates and parking forecasts are shown in Table 1. As noted, the project will generate a peak parking demand of 108 vehicles indicating an overall parking demand ratio of 0.48 vehicles per unit. The proposed parking supply greatly exceeds the estimated parking demand.

Reference: Senior Housing Parking Investigation The Vale, Woburn, MA

Table 1 *Parking Demand Estimate for The Vale Senior Community*

Land Use	Corresponding ITE		# of Units	Units	Parking Ratio	Parked Vehicles
	Category	ITE Code				
Independent Living	Senior Adult Housing	252	103	Units	0.59	61
Assisted Living	Assisted Living	254	84	Units	0.41	34
Memory Care	Nursing Home	620	<u>36</u>	Beds	0.35	<u>13</u>
			223			108

ITE-Institute of Transportation Engineers.

Validation

The above parking demand estimates are based on ITE data collected at sites across North America. Available local data were considered to validate the ITE based parking rates. Specifically, data for two Woburn sites were examined:

- Benchmark Assisted Living on Cedar Street; and,
- Brightview Country Club Heights on Crescent Street.

These investigations support the ITE based calculations as discussed below.

Benchmark Assisted Living

Stantec provided transportation planning support during the local permitting process for the Benchmark Assisted Living Facility on Cedar Street. The project was permitted for 87 units and 70 parking spaces were constructed at the site. The parking supply ratio is 0.80 spaces per unit. This ratio is lower than the 0.87 spaces per unit proposed for The Vale.

Parking adequacy was investigated during the Benchmark permitting process. At the time, the City requested justification for the proposed parking ratio. A study commissioned by Benchmark and shared with the City measured actual parking demands at two existing Benchmark facilities. A copy of this study is attached. At Waltham Crossing, an 89-unit/107-bed assisted living facility located at 126 Smith Street in Waltham, Massachusetts, a peak parking demand ratio of 0.52 vehicles per unit was recorded. At Haverhill Crossing, an 85-unit/108 bed assisted living facility located at 254 Amesbury Road in Haverhill, Massachusetts, a peak parking demand ratio of 0.59 vehicles per unit was recorded. The ratios recorded at these comparable facilities are also well below the proposed parking supply ratio of 0.87 spaces per unit proposed for The Vale.

Reference: Senior Housing Parking Investigation The Vale, Woburn, MA

Brightview

Stantec contacted the facility manager at the Brightview senior community in June 2020 to determine parking conditions at this site. The property includes 83 assisted living units and 24 memory care units. The site shares parking with adjacent land uses and consequently it is difficult to measure parking demand for this property by counting parked vehicles. However, the facility manager estimates peak parking demand of approximately 40 vehicles. This indicates a parking demand ratio of 0.37 vehicles per unit. This ratio is well below the parking supply ratio of 0.87 spaces per unit proposed for The Vale.

Conclusion

An examination of industry standard parking rates indicates an anticipated peak parking demand of 108 vehicles for the proposed 223-unit senior community at The Vale. This compares quite favorably to the proposed parking supply of 193 spaces. The proposed parking ratio of 0.87 spaces per unit is also higher than the parking ratio at the Benchmark facility in Woburn. This ratio is much higher than parking demand ratios reported at two other Benchmark facilities in the region and at one other senior community in Woburn. The proposed parking supply at The Vale will adequately accommodate anticipated peak parking demands.

We appreciate you inviting us to conduct the above parking investigation. Please do not hesitate to call should you have questions regarding this analysis.

Regards,

Stantec Consulting Services Inc.



Mr. Richard S. Bryant, PE
Senior Associate
Phone: 413 387 4502
Work-at-Home: 802 324 8454
Rick.Bryant@stantec.com

Attachment: August 30, 2013 Benchmark Parking Survey

c. Dylan Stevens
rb v:\1794\promotion\planning\leads\219_the vale woburn\5_traffic\docs\letter\2020-06-17_parking analysis.docx



Stantec

Stantec Consulting Services Inc.
55 Green Mountain Drive
South Burlington VT 05403
Tel: (802) 864-0223

August 30, 2013

Mr. Lee Bloom,
Senior Director of Development
Benchmark Senior Living
40 William Street, Suite 350
Wellesley, MA 02481

**Reference: Proposed Assisted Living Community
320 Salem Street
Woburn, MA**

Dear Mr. Bloom:

Per your request Stantec conducted a parking study of two existing Benchmark Senior Living developments to determine the parking supply required for a typical assisted living facility in eastern Massachusetts. The study findings are provided to aid the city of Woburn, Massachusetts in its review of your proposed 87-unit/104-bed assisted living facility to be located at 320 Salem Street. The study indicates that assisted living facilities require 0.56 parking spaces per dwelling unit during peak times. The proposed Woburn facility would therefore require 49 parking spaces based on this ratio. We understand that approximately 70 spaces will be provided at the Woburn site. Consequently, the proposed parking supply will exceed the peak parking demand by more than 40 percent. Details of the parking study are described below.

1.0 STUDY DESCRIPTION

Two Benchmark Senior Living owned facilities were monitored with respect to parking demands to determine the parking needs of residents, staff and visitors. The two sites observed are described below. At both sites there is little or no public transit service available.

- Waltham Crossing: Waltham Crossing is an 89-unit/107-bed assisted living facility located at 126 Smith Street in Waltham, Massachusetts. The site is accessed by way of a single driveway on Smith Street and includes 70 parking spaces. Staffing includes three shifts with the largest number of employees on site, 25 to 30 employees, during the 7:00 AM – 3:00 PM shift. Approximately 12 to 18 people staff the 3:00 PM – 11:00 PM shift and seven to ten people work the 11:00 PM-7:00 AM shift. The occupancy rate at the facility was 91 percent during the on-site parking surveys.
- Haverhill Crossing: Haverhill Crossing is an 85-unit/108 bed assisted living facility located at 254 Amesbury Road in Haverhill, Massachusetts. The site is accessed by way of a single driveway on Amesbury Road and includes 69 parking spaces. Staffing and shift times at Haverhill Crossing are similar to those at the Waltham Crossing site. The occupancy rate at this facility was 98 percent at the time of the parking surveys.

A review of other published studies of assisted living facilities indicates that parking demands for assisted living facilities peak during the day to evening shift change when employees from both shifts may be on site. Accordingly, parking utilization counts were conducted every hour on the hour from 2:00 PM to 7:00 PM at each site with an additional observation made at 3:30 PM. Counts were conducted over the span of two

consecutive weekdays at each site on Wednesday, August 14, 2013, and Thursday, August 15, 2013. The two days selected were assumed to represent typical weekdays however, continuous automated traffic counts were taken on each site driveway over a seven-day period to confirm this assumption.

2.0 PARKING DATA

The parking data are summarized in Figures 1 and 2 for the Waltham and Haverhill sites, respectively. As shown, parking demands peak in the afternoon hours and taper off into the evening hours. At Waltham Crossing the maximum number of vehicles parked was 46. At Haverhill Crossing up to 50 vehicles were parked on site at any one time. The raw parking data are attached.

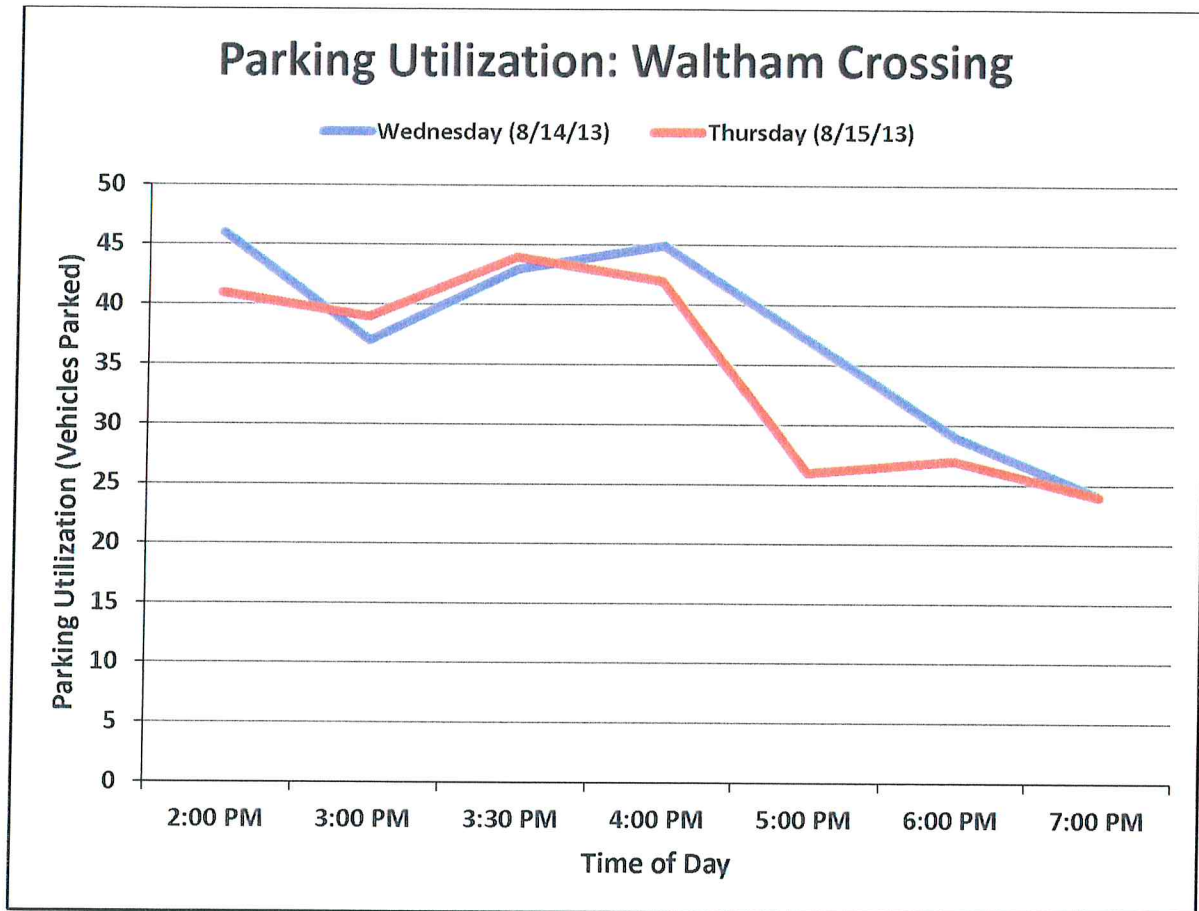


Figure 1 Observed Parking Demands at Waltham Crossing

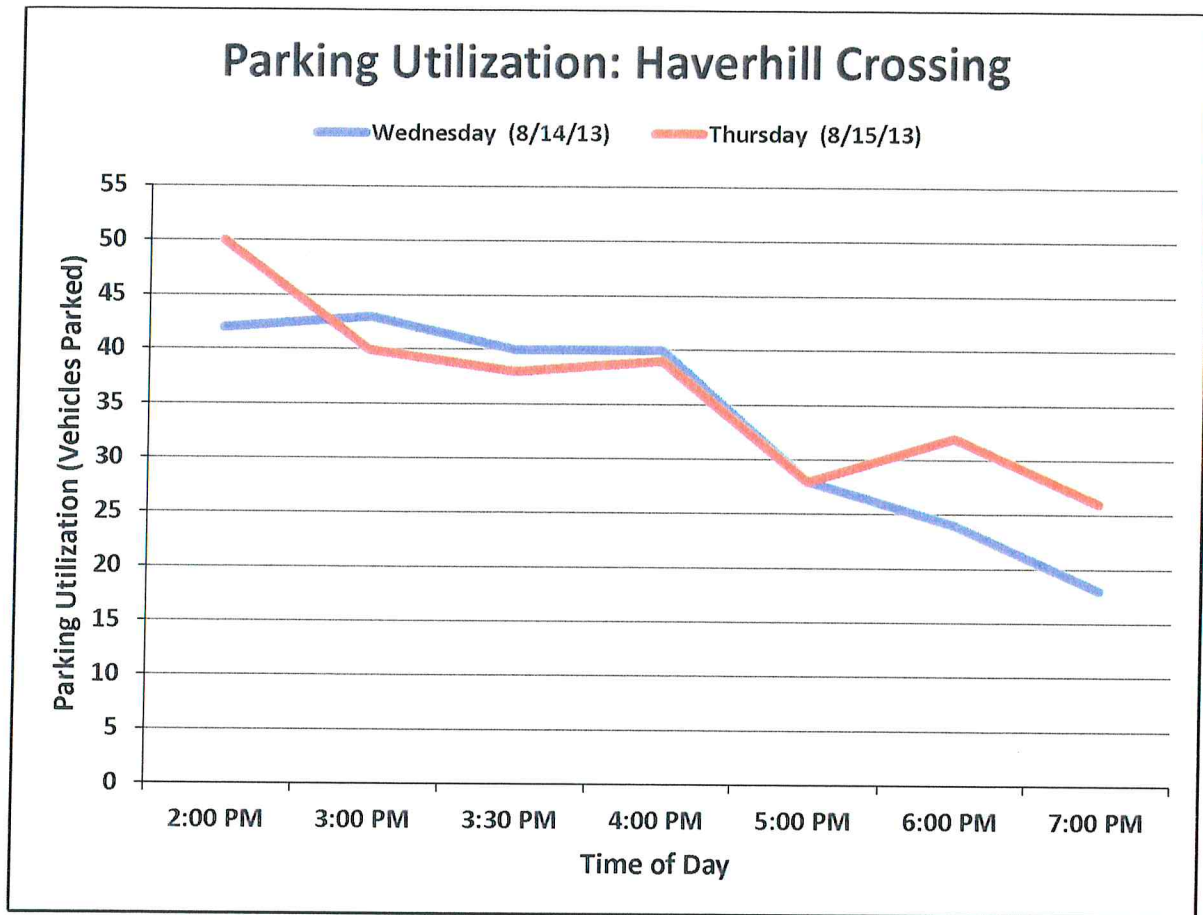


Figure 2 Observed Parking Demands at Haverhill Crossing

3.0 TRAFFIC DATA

As noted above, hourly traffic counts were conducted for a one-week period at the two site driveways to confirm that Wednesdays and Thursdays represent typical days at the facilities monitored. The data, summarized in Table 1, indicates that at the Waltham facility Wednesday and Thursday are the two busiest days of the week. At the Haverhill facility, Tuesday was the busiest day of the week. Wednesday and Thursday represent the second and third busiest days of the week. Consequently, it can be concluded that the parking surveys were conducted on above-average activity days.

Site	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Waltham Crossing	349	398	402	422	397	215	277
Haverhill Crossing	342	464	353	437	352	282	244

Note: Counts taken Thursday, August 15, 2013 through August 21, 2013.

Table 1 Observed Driveway Volumes (Vehicles per Day)

4.0 PARKING RATES

The observed parking data was used to develop parking rates or parking ratios for each of the sites. These calculations are summarized in Table 2. As shown, with up to 46 vehicles parked at Waltham Crossing the peak parking ratio is 0.52 vehicles per unit or 0.43 vehicles per bed. Haverhill Crossing exhibited a slightly higher rate of 0.59 vehicles per unit. The average rate for the two sites is 0.56 vehicles parked per unit.

Site	Units	Beds	Available Parking Supply (spaces)	Peak Wednesday Parking	Peak Thursday Parking	Peak Parking Ratio (vehicles/bed)	Peak Parking Ratio (vehicles/unit)
Waltham Crossing	89	107	70	46	44	0.43	0.52
Haverhill Crossing	85	108	69	43	50	0.46	0.59
					Average Rates	0.45	0.56

Note: Figures in bold used to calculate rates.

Table 2 Observed Parking Rates

5.0 CONCLUSIONS AND RECOMMENDATIONS

Based on the above analysis the expected peak parking demand at assisted living facilities is 0.56 vehicles per unit. Applying this ratio to the proposed 87-unit Woburn facility indicates a peak parking demand of 49 vehicles. Application of the highest rate observed, 0.59 vehicles per unit, suggest a peak parking demand of 51 vehicles.

We trust that the above adequately describes the results of our study. Should you have any questions please do not hesitate to contact us.

Sincerely

STANTEC CONSULTING SERVICES, INC.



Richard S. Bryant, PE
Senior Project Manager

Tel: (802) 864-0223
Fax: (802) 864-0165
Richard.Bryant@stantec.com

Appendix A

Time	Total	Regular	Handicap	Staff	Visitor
	74	69	4	1	0
2:00 PM	46	43	2	1	
3:00 PM	37	34	3	0	
3:30 PM	43	38	4	1	
4:00 PM	45	41	3	1	
5:00 PM	37	33	3	1	
6:00 PM	29	26	3	0	
7:00 PM	24	20	4	0	

Table A- 1: Waltham Parking Lot Study 8/14/2013

	Total	Regular	Handicap	Staff	Visitor
	74	69	4	1	0
2:00 PM	41	37	4	0	
3:00 PM	39	34	4	1	
3:30 PM	44	39	4	1	
4:00 PM	42	37	4	1	
5:00 PM	26	22	4	0	
6:00 PM	27	24	3	0	
7:00 PM	24	20	3	1	

Table A- 2: Waltham Parking Lot Study 8/15/2013

Time	Total	Regular	Handicap	Staff	Visitor	Non Marked Spots
	72	61	2	6	3	
2:00 PM	42	38	0	3	1	0
3:00 PM	43	35	0	3	1	4
3:30 PM	40	35	0	3	1	1
4:00 PM	40	33	0	4	2	1
5:00 PM	28	23	0	3	2	0
6:00 PM	24	19	0	4	1	0
7:00 PM	18	15	0	3	0	0

Table A- 3: Haverhill Crossing Parking Lot Study 8/14/2013

	Total	Regular	Handicap	Resident	Visitor	Non Marked Spots
	72	61	2	6	3	
2:00 PM	50	41	1	4	3	1
3:00 PM	40	31	1	4	3	1
3:30 PM	38	29	1	4	3	1
4:00 PM	39	27	1	5	2	4
5:00 PM	28	24	0	3	0	1
6:00 PM	32	20	1	4	3	4
7:00 PM	26	18	1	2	1	4

Table A- 4: Haverhill Crossing Parking Lot Study 8/15/2013

Joseph R. Tarby, III

From: Joseph R. Tarby, III
Sent: Tuesday, June 09, 2020 10:59 AM
To: Cassidy, Tina
Cc: Tommy Quinn (TCQuinn@cityofwoburn.com); Chris Manning - LCS Development (manningchris@lcsnet.com); 'Reynolds, Chad'
Subject: EXTENDED CARE FACILITY/CONGREGATE ELDERLY APARTMENTS

Tina,

This is a follow up to our discussion at yesterday's Department Head meeting via Zoom.

The "Extended Care Facility" use in the above-referenced section falls under HOSPITAL in Section 2 Definitions of the 1985 City of Woburn Zoning Ordinance as amended ("WZO"). The definition was amended in Section 2 on December 19, 2013 in connection with the proposed use of 1 Cedar Street by Benchmark Senior Living. The use was added to Section 28.6.2.9 of the WZO as of July 3, 2018 by a vote of the City Council.

Extended Care Facility is defined in Section 2 as: "A building used primarily for the long term residence of persons who, on account of (1) age or (2) physical infirmity, are unable to live by, or care for, themselves; included within this term are facilities which are commonly known as nursing homes, convalescent home and Assisted Living Residences."

The assisted living units and memory care units proposed by LCS fall within this definition. This position was explained and discussed during the public hearing process to amend Section 28.6.2.9 in 2019.

On July 30, 2019 the TBOD was amended by adding "Congregate Elderly Housing Units" to Section 28.6.2.2. The definition of "Congregate Elderly Apartments" was part of the original Section 2 when the WZO was adopted by the City Council on April 19, 1985. The July 30, 2019 amendment capped the total number of Congregate Elderly Housing units at 104 units. LCS has proposed 103 Elderly Housing Units. The Congregate Elderly Housings Units are included with Section 28.6.2.2 "Residential Units" which requires a Special Permit from the City Council for the 300 residential units proposed by LCS (103) and Pulte (197).

The uses described herein were fully discussed with the City Council during the zoning amendment process and amendments were made to the TBOD to allow for both the LCS and Pulte proposals to be filed. Please let me know if you need anything else. Thank you.

Joe